

DONELAN, CLEARY, WOOD & MASER, P. C.

ATTORNEYS AND COUNSELORS AT LAW

SUITE 850

1275 K STREET, N. W.

WASHINGTON, D. C. 20005-4078

TELEPHONE: (202) 371-9500

TELECOPIER: (202) 371-0900

December 22, 1992

ORIGINAL
FILE

RECEIVED

DEC 22 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Donna Searcy
Secretary
Federal Communications Commission
Washington, D.C. 20554

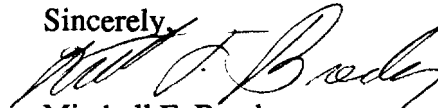
Re: CC Docket No. 92-77/Billed Party Preference for 0+ InterLATA Calls

Dear Ms. Searcy:

On December 14, 1992, this office transmitted on behalf of LDDS Communications, Inc. supplemental comments in the above-captioned proceeding. A malfunction in the firm's word processing system caused the deletion of several words at the top of page four. Enclosed herewith is a corrected page four which should be inserted in place of the original page four in the LDDS supplemental comments.

I apologize for any inconvenience which may have been caused by this error. If there are any questions, kindly communicate directly with the undersigned.

Sincerely,



Mitchell F. Brecher

Enclosure

No. of Copies rec'd
List A B C D E

075

marketplace, LDDS does not want, and, indeed, cannot afford, to be perceived as creating complexities and inconveniences for consumers in reaching their calling card-issuing IXCs.

Based upon its experience as a telecommunications service provider and upon its familiarity with existing technology both within local exchange and interexchange telecommunications networks and of public and private telecommunications equipment, LDDS has concluded that transfer of 0+ CIID card calls to AT&T by means of simple and clear dialing instructions (e.g., "Please hang up and dial 1-800-225-5288") is by far the most reliable, efficient and consumer friendly mechanism for transferring CIID card calls to AT&T. Call transfer by means of dialing instructions is the only ubiquitously-available means for transferring 0+ CIID card calls from the presubscribed IXC to the card-issuing IXC. That method works from all phones in all locations. It enables the card-issuing carrier to complete the call from the originating location and to bill the call from the originating locations in all circumstances.

The other means for call transfer do not produce such satisfactory results. Call transfer to AT&T at a location close to LDDS's switching centers almost always will result in the calls being billed from the transferred location rather than from the originating location. Although LDDS would be willing to transmit to AT&T the originating telephone number information (Automatic Number Identification or "ANI") for the transferred calls on a real time basis, AT&T is either unwilling or unable to accept that information. If calls are billed from the transfer location without the caller's informed consent, it is considered to be "call splashing" and is violative of Section 226(b)(1)(H) of the Communications Act⁶. Call transfer by means of reorigination to the originating local exchange carrier is another incomplete solution. It simply cannot be achieved from most LEC-provided public phones. Where such call reorigination can be accomplished, it necessitates the inefficient backhauling of calls from the presubscribed carrier's operator center to the network facilities of the LEC originating the call. Neither of these transfer methods are satisfactory either to LDDS or to its customers. Based upon extensive experience with consumers

⁶ 47 U.S.C. § 226(b)(1)(H) (1991).

CERTIFICATE OF SERVICE

I, Raina N. Price-Webster, do hereby certify that a copy of the attached corrected page four of Supplemental Comments of LDDS Communications, Inc., which was filed with the Federal Communications Commission on December 14, 1992, has been served via first-class mail, postage pre-paid to the recipients on the attached pages.

Raina N. Price-Webster

Raina N. Price-Webster

DOWNTOWN COPY CENTER*
1919 M Street, N.W.
Room 246
Washington, DC 20554

CHERYL A TRITT, CHIEF*
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 500
Washington, DC 20554

COLLEEN BOOTHBY, DEPUTY CHIEF*
Tariff Division, Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 500
Washington, DC 20554

BARBARA ESBIN*
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 518
Washington, DC 20554

GREGORY VOGT, CHIEF*
Tariff Division, Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 518
Washington, DC 20554

GARY PHILLIPS*
Office of Policy & Program Planning
Federal Communications Commission
1919 M Street, N.W.
Room 544
Washington, DC 20554

JAMES D. SCHLICHTING*
Chief of Policy & Program Planning
Federal Communications Commissions
1919 M Street, N.W.
Room 544
Washington, DC 20554

FRANCINE J. BERRY
MARK C. ROSENBLUM
PETER H. JACOBY
RICHARD H. RUBIN
American Telephone & Telegraph Company
295 N. Maple Ave., Room 3244J1
Basking Ridge, NJ 07920

ALBERT H. KRAMER
ROBERT F. ALDRICH
Keck, Mahin & Cate
1201 New York Avenue, N.W., Penthouse Suite
Washington, DC 20005-3919
Counsel for American Public Communications Council

FLOYD S. KEENE
MICHAEL S. PABIAN
Ameritech Operating Companies
2000 W. Ameritech Center Dr., Rm. 4H76
Hoffman Estates, IL 60196-1025

JAMES R. YOUNG
JOHN M. GOODMAN
CHARLES H. KENNEDY
Bell Atlantic Telephone Companies
1710 H Street, N.W.
Washington, DC 20006

WILLIAM B. BARFIELD
RICHARD M. SBARETTA
HELEN A. SHOCKEY
BellSouth Telecommunications, Inc.
1155 Peachtree Street, N.W.
Suite 1300
Atlanta, GA 30367-6000

MARTIN A. MATTES
RICHARD L. GOLDBERG
Graham & James
One Maritime Plaza, Suite 300
San Francisco, CA 94111
Counsel for California Payphone Association

RANDOLPH J. MAY
DAVID A. GROSS
ELIZABETH C. BUCKINGHAM
Sutherland, Asbill & Brennan
1275 Pennsylvania Avenue, N.W.
Washington, DC 20004-2404
Counsel for Capital Network System, Inc.

JEAN L. KIDDOO
ANN P. MORTON
Swidler & Berlin
3000 K St., N.W., Suite 300
Washington, DC 20007
*Counsel for Cleartell/Com Systems, Zero Plus
Dialing, Inc.*

RONALD J. BINZ, DIRECTOR
Office of Consumer Counsel
Colorado Office of Consumer Counsel
1580 Logan Street, Suite 700
Denver, CO 80203

GENEVIEVE MORELLI
Vice-President and General Counsel
Competitive Telecommunications
Association
1140 Connecticut Avenue, N.W., Suite 220
Washington, DC 20036

JOHN A. LIGON, ESQ.
Law Offices of John A. Ligon
128 Mount Hebron Road
P.O. Box 880
Upper Montclair, NJ 07043
Counsel for ComTel Computer Corporation

ELLYN ELISE CRUTCHER
Counsel for Consolidated Communications
Operator Services, Inc.
121 S. 17th Street
Mattoon, IL 61938

GAIL L. POLIVY
GTE Service Corporation
1850 M Street, N.W.
Suite 1200
Washington, DC 20036

GREG CASEY
JANE A. FISHER
International Telecharge, Inc.
6707 Democracy Blvd.
Bethesda, MD 20817

JUDITH ST. LEDGER-ROTY
MICHAEL R. WACK
Reed Smith Shaw & McClay
1200 18th Street, N.W.
Washington, DC 20005-3919
Counsel for Intellicall, Inc.

MARY J. SISAK
DONALD J. ELARDO
MCI Telecommunications Corporation
1801 Pennsylvania Avenue, N.W.
Washington, DC 20006

STEVEN E. WATKINS
DAVID COSSON
National Telephone Cooperative Association
2626 Pennsylvania Ave., N.W.
Washington, DC 20037

DOUGLAS N. OWENS
Law Offices of Douglas N. Owens
4705 16th Avenue, N.E.
Seattle, WA 98105
Counsel for Northwest Pay Phone Association

AMY S. GROSS
NYCOM Information Service
2701 Summer Street
Suite 200
Stamford, CT 06905

PATRICK A. LEE
EDWARD E. NIEHOFF
WILLIAM S. BALCERSKI
NYNEX Telephone Companies
120 Bloomingdale Road
White Plains, NY 10605

LEE FISHER
JAMES B. GAINER
ANN E. HENKENER
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43266-0573

JAMES L. WURTZ
Pacific Bell and Nevada Bell
1275 Pennsylvania Avenue, N.W.
Washington, DC 20004

JAMES P. TUTHILL
NANCY C. WOOLF
THERESA L. CABRAL
Pacific Bell and Nevada Bell
140 New Montgomery St., Rm. 1523
San Francisco, CA 94105

MITCHELL F. BRECHER
Donelan, Cleary, Wood & Maser
1275 K Street, N.W.
Suite 850
Washington, DC 20005-4078
Counsel for PhoneTel Technologies, Inc.

WALTER STEIMEL, JR.
Fish & Richardson
601 13th Street, N.W.
5th Floor North
Washington, DC 20005
Counsel for Pilgrim Telephone, Inc.

RICK L. ANTHONY
Quest Communications Corporation
6600 College Boulevard
Suite 205
Overland Park, KS 66211

LARRY MORELAND
c/o Caterpillar, Inc.
SDN Users Association, Inc.
600 W. Washington, St., AD341
East Peoria, IL 61630

DURWARD D. DUPRE
RICHARD C. HARTGROVE
JOHN PAUL WALTERS, JR.
Southwestern Bell Telephone Company
1010 Pine St., Rm. 2114
St. Louis, MO 63101

LEON M. KESTENBAUM
JAY C. KEITHLEY
H. RICHARD JUHNKE
Sprint Corporation
1850 M Street, N.W.
11th Floor
Washington, DC 20036

MARGOT SMILEY HUMPHREY
Koteen & Naftalin
1150 Connecticut Avenue, N.W.
Washington, DC 20036
Counsel for TDS Telecommunications Corp.

W. AUDIE LONG
KENNETH F. MELLEY, JR.
U.S. Long Distance, Inc.
9311 San Pedro
Suite 300
San Antonio, TX 78216

LAWRENCE E. SARJEANT
RANDALL S. COLEMAN
U.S. West Communications, Inc.
1020 19th Street, N.W.
Suite 700
Washington, DC 20036

MARTIN T. MCCUE
LINDA KENT
United States Telephone Association
900 19th Street, N.W.
Suite 800
Washington, DC 20006-2105

GLENN B. MANISHIN
Blumenfeld & Cohen
1615 M Street, N.W.
Suite 700
Washington, DC 20036
Counsel for Value-Added Communications

BOB F. MCCOY
JOSEPH W. MILLER
WilTel, Inc.
One Williams Center
Suite 3600
P.O. Box 2400
Tulsa, OK 74102